

**MINUTES
OF THE MAYOR AND COUNCIL MEETING,
BOROUGH OF HOPATCONG,
HELD AT THE MUNICIPAL BUILDING, 111 RIVER STYX ROAD
HOPATCONG, NEW JERSEY
AUGUST 6, 2014
OPEN PUBLIC MEETING 7:30 PM**

CALL TO ORDER: Announce Quorum

OPEN PUBLIC MEETINGS ACT STATEMENT: Mayor Petillo stated "This meeting is held in accordance with the 1975 Open Public Meetings Act, NJSA 10:4-6 et seq., annual notice having been forwarded to the New Jersey Herald/New Jersey Sunday Herald, and posted on the bulletin board maintained in the Municipal Building for public announcements." (Mayor noted fire exits)

ROLL CALL: The Clerk called the roll and the following members were present: Councilman Bunce, Councilman Francis, Councilwoman Galate, Councilwoman Klein, Councilman Padula, Councilman Young and Mayor Petillo.

MOMENT OF SILENT REFLECTION AND PLEDGE OF ALLEGIANCE: Mayor Petillo invited all present to salute the flag and to remain standing for a moment of silence.

Captain Tina Kraus introduced Daniel Kern, the new police officer whose resolution to hire him is on this evening's agenda. Officer Kern has been with the Andover Township Police Department for the last 10 years and has worked as a dispatcher here in Hopatcong. Captain Kraus stated that the Department is very excited to have him join the police force.

Mayor Petillo introduced the JCP&L representative, Michael Obremski to the Council. Mr. Obremski discussed all of the new policies that are in place regarding outages in the Borough. He thanked the police department and Officer Haffner for their cooperation when the company needs traffic control.

AUCTION OF MUNICIPAL PROPERTY:

Block 50207, Lot 17, 22 Caribou Trail (Non-Conforming, Min. Bid \$1,375.00)

Councilman Bunce asked if anyone from the public was here to make a bid on the property for \$1,375.00. A member of the public offered that amount and there being no one else from the public who wished to bid, Mr. Young made a motion to close the auction. Seconded by Councilman Bunce. All were in favor.

Councilman Young made a motion to accept the bid of \$1,375.00 for the purchase of Block 50207, Lot 17, 22 Caribou Trail. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

COMMITTEE REPORTS: Mayor Petillo allowed each member of the Council, to present their respective committee reports.

Councilwoman Galate reported that the Senior's Inc. will meet at 10:00 am tomorrow. She also stated that the Farmer's Market is doing well.

Councilman Francis stated that the Deer Management Task Force will meet this coming Friday to discuss this year's hunting season with regards to municipal property.

Councilman Young stated that the Summer Recreation Program is in full swing and that there are about 105 campers this year, an increase of about 15% from last year.

Councilman Bunce reported that there will be a water and sewer committee meeting later this month and that the DPW is working on the new salt shed and getting the salters ready for the coming winter. The new roof is being put on the DPW building as well.

Mayor Petillo reported that blue algae has been discovered in the lake and that samples have been taken from the Crescent Cove area. The algae is not toxic but could cause a rash if someone were to swim in the water.

PUBLIC COMMENT: Mayor Petillo requested a motion to open the meeting to the public for any questions or comments concerning items on the agenda for which no public discussion is provided. (Comments limited to 5 minutes).

Mr. Rehe, 501 Naritcong Avenue addressed the Council regarding the lack of locks on the ball field next to his house. He said that there was an agreement in the past that the gate would always be locked and that older children and adults are using the field when it only supposed to be used by children under 12 years old.

Mayor Petillo responded that she has sent the issue to the Recreation Commission to review and in turn they will make a recommendation to the Council.

Beth Longo asked why there was a Special Meeting on July 16th and asked if it was an open public meeting.

Mayor Petillo responded that it was deemed a “special” meeting because it was not originally noticed in the beginning of the year. She stated that the Governing Body decided to have a second meeting in July to do such things as pay bills and introduce ordinances.

After giving all persons present an opportunity to address the Governing Body, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young. All were in favor.

APPROVAL OF MINUTES:

Councilman Bunce made a motion to approve the meeting minutes of the Regular Meeting held on July 16, 2014. Seconded by Councilman Young. All were in favor.

CONSENT AGENDA: Mayor Petillo requested that all persons present review the consent agenda. If any member of the Council or public wishes an item on the consent agenda to be discussed and considered separately, a motion to this effect shall so be made at this time.

After all persons have had an opportunity to review the consent agenda and offer requests for changes, Councilman Bunce made a motion to approve the consent agenda. Seconded by Councilman Young. All were in favor.

INTRODUCTION OF ORDINANCES:

Introduction Ordinance #25-2014 – Salary Ordinance

Councilman Bunce made a motion to introduce an ordinance entitled “AN ORDINANCE ESTABLISHING A MINIMUM AND MAXIMUM RANGE OF SALARY AND COMPENSATION FOR CERTAIN TITLES OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF HOPATCONG”. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

FINAL READING: SEPTEMBER 3, 2014

The Council discussed having a special meeting in August and it was decided that it will be held on August 20, 2014 at 7:30.

Introduction Ordinance #26-2014 – Multi-family Inclusionary Residence Zone

Councilman Bunce made a motion to introduce an ordinance entitled “AN ORDINANCE TO AMEND CHAPTER 242-38.1 D (8) OF THE CODE OF THE BOROUGH OF HOPATCONG REGARDING ‘MULTI-FAMILY INCLUSIONARY RESIDENCE ZONE’ REGARDING DENSITY”. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

FINAL READING: AUGUST 20, 2014

ADOPTION OF ORDINANCES:

Adoption Ordinance #15-2014 – Amending Certain Zoning Map Block, Lots

Councilwoman Galate made a motion to adopt an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY AUTHORIZING AMENDING THE ZONING MAP FOR BLOCK 10701 LOTS 2, 3, 6, 8, 9, and 10 and BLOCK 10601 LOTS 8, 14, 15 and 18 TO BE INCLUDED IN THE B-2 ZONE”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #15-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #15-2014, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Adoption Ordinance #17-2014 – Fees

Councilman Young made a motion to adopt an ordinance entitled “AN ORDINANCE TO MODIFY SECTION 108-1 OF THE CODE OF THE BOROUGH OF HOPATCONG REGARDING FEES”. Seconded by Councilwoman Galate.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #17-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #17-2014, Councilwoman Galate made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Adoption Ordinance #18-2014 – Auction of Municipal Property, Block 50303, Lot 4, 16 Papoose Trail.

Councilman Bunce made a motion to adopt an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATACONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS 16 PAPOOSE TRAIL, BLOCK 50303, LOT 4”. Seconded by Councilwoman Galate.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #18-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #18-2014, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

AUCTION: SEPTEMBER 3, 2014

Adoption Ordinance #19-2014 – Auction of Municipal Property, Block 31002, Lot 4, 7 Oklahoma Trail.

Councilman Bunce made a motion to adopt an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS BLOCK 31002, LOT 4, 7 OKLAHOMA TRAIL. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #19-2014.

Robin Calandriello asked how many pieces of property the Borough owns and Councilman Francis stated that the Borough owns a lot of smaller properties that if purchase would be added to the tax rolls.

There being no one else from the public who wished to address the Governing Body regarding Ordinance #19-2014, Councilman Bunce made a motion to close the meeting to the public and return to the regular of business. Seconded by Councilman Young. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

AUCTION: SEPTEMBER 3, 2014

Adoption Ordinance #20-2014 – Auction of Municipal Property, Block 40912, Lot 14, 16 Columbia Trail

Councilman Young made a motion to adopt an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS BLOCK 40912, LOT 14, 16 COLUMBIA TRAIL”. Seconded by Councilman Bunce.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #20-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #12-2014, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

AUCTION: SEPTEMBER 3, 2014

Adoption Ordinance #21-2014 – Auction of Municipal Property, Block 31011, Lot 12, 31 Oklahoma Trail

Councilman Bunce made a motion to adopt an ordinance entitled “AN ORDINANCE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, AUTHORIZING THE SALE OF CERTAIN PROPERTY OWNED BY THE BOROUGH AND NOT REQUIRED FOR PUBLIC PURPOSES AND MORE COMMONLY KNOWN AS BLOCK 31011, LOT 12, 31 OKLAHOMA TRAIL”. Seconded by Councilman Young

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #21-2014.

There being on one from the public who wished to address the Governing Body regarding Ordinance #21-2014, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young
Nays: None Absent: None Abstentions: None

AUCTION: SEPTEMBER 3, 2014

Adoption Ordinance #22-2014 – Peddling and Soliciting

Councilman Bunce made a motion to adopt an ordinance entitled “AN ORDINANCE REPEALING CHAPTER 171 OF THE CODE OF THE BOORUGH OF HOPATCONG ENTITLED ‘PEDDLING AND SOLICITING’”. Seconded by Councilman Young.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #22-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #22-2014, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young. All were in favor.

Upon roll call vote:

Ayes: None

Nays: Bunce, Francis, Galate, Klein, Padula, Young Absent: None Abstentions: None

Adoption Ordinance #23-2014 – Affordable Housing

Councilman Bunce made a motion to adopt a resolution entitled “AN ORDINANCE TO AMEND CHAPTER 242 OF THE CODE OF THE BOROUGH OF HOPATCONG, COUNTY OF SUSSEX, STATE OF NEW JERSEY, ENTITLED “ZONING” TO REMOVE THE REQUIREMENT OF INCLUSIONARY AFFORDABLE HOUSING”. Seconded by Councilman Padula.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #23-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #23-2014, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula

Nays: None Absent: None Abstentions: Young

Adoption Ordinance #24-2014 – Bond Ordinance “Purchase of Police Vehicle”

Councilman Bunce made a motion to adopt an ordinance entitled “A BOND ORDINANCE PROVIDING FOR THE ACQUISITION AND INSTALLATION OF A NON-PASSENGER EMERGENCY RESPONSE SPORT UTILITY VEHICLE FOR THE POLICE DEPARTMENT, BY AND IN THE BOROUGH OF HOPATCONG, IN THE COUNTY OF SUSSEX, STATE OF NEW JERSEY; APPROPRIATING \$45,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$42,750 IN BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF”. Seconded by Councilwoman Galate.

Before final roll call, Mayor Petillo opened the meeting to the public for any questions or comments regarding Ordinance #24-2014.

There being no one from the public who wished to address the Governing Body regarding Ordinance #24-2014, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilman Young. All were in favor.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

RESOLUTIONS:

Resolution #2014-191 – MSA Appointment

Councilman Young made a motion to adopt a resolution accepting the resignation of John Kieser as a member of the Musconetcong Sewer Authority and appoint Rich Schindelar to fill his unexpired term, ending January 31, 2016. Seconded by Councilman Bunce. All were in favor.

Resolution #2014-192 – Hiring of New Police Officer

Councilman Bunce made a motion to adopt a resolution authorizing the appointment of Daniel Paul Kern to the position of Police Officer Grade 4. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Resolution #2014-193 – Part-time Employees Salaries

Councilman Bunce made a motion to adopt a resolution establishing salaries, effective July 1, 2014 for part-time employees of the Borough of Hopatcong. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Resolution #2014-197 – Emergency Dispatchers Salaries

Councilman Bunce made a motion to adopt a resolution establishing salaries for the Borough of Hopatcong Emergency Dispatchers. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Resolution #2014-198 – Special Item of Revenue

Councilman Bunce made a motion to adopt a resolution requesting the Director of the Division of Local Government to insert into the 2014 budget the amount of \$60,000 under the caption "State of New Jersey Safe and Secure Communities Grant Program". Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Resolution #2014-199 – White Collar Unit Contract

Councilman Young made a motion to adopt a resolution authorizing the Borough Administration and the Borough Labor Counsel to finalize and execute the collective negotiations agreement with the White Collar Unit with the terms of the attached rider. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Resolution #2014-203 – Person To Person Liquor License Transfer (Carole's Wine Cellar)

Councilman Bunce made a motion to adopt a resolution authorizing the Person To Person Liquor License Transfer Application for License #1912-33-018-006 from R. Bon Inc., to Albrina Limited LLC. (Carole's Wine Cellar) Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

OLD BUSINESS:

NEW BUSINESS:

Social Affair Permit – The Lake Hopatcong Foundation

Councilman Young made a motion to approve the Social Affair Permit application submitted by the Lake Hopatcong Foundation for an event to be held at Hudson Farm on September 16, 2014 from 4:00 pm to 9:30 pm. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Social Affair Permit – Project Self-Sufficiency

Councilwoman Galate made a motion to approve the Social Affair Permit application submitted by Project Self-Sufficiency for an event to be held at Hudson Farm on September 21, 2014 from 12:00 pm to 9:00 pm. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Social Affair Permit – Pope John XXIII Endowment Fund

Councilman Bunce made a motion to approve an application submitted by Pope John XXIII Endowment Fund, Inc., to hold an event on September 14, 2014 from 1:00 pm to 9:00 pm at Hudson Farm. Seconded by Councilwoman Galate.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Social Affair Permit – Philip's Education Partners

Councilman Bunce made a motion to approve an application submitted by Philip's Education Partners to hold an event on October 2, 2014 from 5:00 pm to 7:00 pm at Hudson Farm. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Water Service Application – 7 Mullen Drive

Councilwoman Galate made a motion to approve an application submitted by Nancy Le Seur, 7 Mullen Drive, Block 31402, Lot 39/40. Seconded by Councilman Bunce.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to include the Bill List Resolution on this evening's agenda. Seconded by Councilwoman Galate. All were in favor.

Resolution #2014-202 – Payment of Bills

Councilman Bunce made a motion to adopt a resolution approving of the payment of bills for the meeting of August 16, 2014, pulling check numbers 34597, 34575, 34580, 34609, 34632, 34602, and 384. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Galate, Klein, Padula, Young

Nays: None Absent: None Abstentions: None

Councilman Bunce made a motion to approve the payment of check numbers 34957, 34575, 34580, 34609, 34632, 34602, and 384. Seconded by Councilman Young.

Upon roll call vote:

Ayes: Bunce, Francis, Klein, Padula, Young

Nays: None Absent: None Abstentions: Galate

PUBLIC COMMENT:

Mayor Petillo requested a motion to open the meeting to the public for any questions or comments concerning the good and welfare of the Borough. (Comments limited to 5 minutes).

Mr. Harris, 125 Dupont Avenue, asked why, in the salary ordinance, do different departments work different hours.

The Mayor responded that they work according to their contracts and that most of the employees work many more hours then what is required of them in their contracts.

Mr. Rehe apologized to the Governing Body if he sounded angry earlier in the meeting about the ball field issue. He stated that he would just like to see it resolved.

Beth Longo, 33 Lebanon Trail, stated that she didn't feel that one of the meeting minutes accurately reflected what was said at the meeting and wanted to know if they could be corrected. Mayor Petillo responded that the minutes were already approve by the Council but that if she would like to clarify her concerns now, that they would be reflected in this evenings minutes. Ms. Longo declined to discuss the issue further. She also wanted to know who was on the talk force that addressed the Animal Control Officer and the Mayor listed the people who were on the task force. Ms. Longo also stated that she has had problems with dispatch not asking her name or address when she calls regarding animal complaint issues.

Mayor Petillo stated that all of the calls that go through dispatch and that if Ms. Longo had specific days that she would like her to listen to, that she would do so.

Robin Calandriello, 116 Hudson, addressed the Council regarding the animal control officer.

Mara Modes, Ithanell Road, addressed the Council regarding the new health officer, Wendy, from the pound, and wanted to know what qualified her for that position.

Mayor Petillo stated that the information that Ms. Modes had regarding Wendy is inaccurate because the Borough contracts with the County for health officer services.

After giving all persons present an opportunity to address the Governing Body, Councilman Bunce made a motion to close the meeting to the public and return to the regular order of business. Seconded by Councilwoman Galate. All were in favor.

ADJOURNMENT:

Councilman Bunce made a motion to adjourn the meeting of August 6, 2014. Seconded by Councilman Young. All were in favor.

Sylvia Petillo, RMC

Catherine Gleason, RMC

